

YELLOWHAMMER FUND, on	+	
behalf of itself and its clients	+	CALIFORNIA
	+	
Plaintiff	+	CALIFORNIA
	+	
Attorney General of	+	
Alabama (Edward Marshall)	+	
in his official capacity	+	
	+	
Defendant	+	

Plaintiff Yellowhammer Foundation hereby and through its attorneys listed below
 brings this action against the Defendant and his employees, agents and assigns in

oot of Alabama an a!!ess la . f0l abo/tion !a/e in o

As the Defendant is Alabama Attorney General (the Marshall Martin) in his official capacity. He may be prohibited from posing for a photograph in spite of no constitutional means to do so. These statements are still the speech and activities of Plaintiff. The Defendant has broad authority to issue the prohibition of minimal cases. See Ala. Code B <FG1@G1>6 see also Graddick v. Galanos <EH (o\$ 9 @H9" @H> ?Ala\$ 1HAC+ ?hol in1 the statute allows the Attorney

perform an abortion except when an attending physician licenses in Alabama
determines that an abortion is necessary to prevent a serious health risk to the
pregnant person. The Abortion Act imposes a prison sentence of no less than ten
years and as long as life imprisonment - it also allows courts to impose a fine of 0p
to 1FC"CCC\$¹

11 On June 9, 1999, the U.S. Supreme Court issued the Dobbs decision
holding that the abortion right is not a matter best left to each individual state and not
a right protected by the U.S. Constitution. In so doing, the U.S. Supreme Court
overruled its previous holdings in Roe v. Wade, 410 U.S. 113 (1967) and Planned Parenthood
of Southeastern Pennsylvania v. Casey, 505 U.S. 822 (1992), and the effects of their
previous decisions. Late that year, this Court lifted the injunction against the Abortion Act. See
Robinson v. " Marshall" Circuit No. 9, 188 F.3d 1008 (11th Cir. 2000), 999 WL 94123-6 (11th Cir. 2000).
Alabama's June 9, 1999, legislation eliminated the injunction that had delayed the effective
date.

¹ 'e1 .m99809 0 0 8(028(1 .29412(t)-4 e58899F(JR8J8704aT-f1'029408(n8(183294123)-6).TS'/R8(E))190

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The abortion fund's clients in 10 counties of Alabama. However, the fund in an other support to a less than both within and outside of the state as well as out of state clients. However, the financial transportation and other assistance to a less abortion care within Alabama. The fund operates a helpline for patients to contact and assist for financial and logistical assistance. Most referrals come from abortion care providers in Alabama. However, the fund notifies their patients about Yellow Hammer Fund's services if they do not have the funds to pay for their abortion or have other unmet needs in 10 counties transportation logistics and other care.

>1\$

From before the Supreme Court's decision that it is unconstitutional for states to ban abortion, the state of Alabama has been a leader in the fight to protect the right to life. Alabama's constitution, which was adopted in 1901, states that "the right to the life, liberty, and property of every citizen shall be secured by law." This provision has been interpreted by the Alabama Supreme Court as a guarantee of the right to life, including the right to an abortion. In 2017, the Alabama Supreme Court ruled in *Whole Woman's Health v. Hellerstedt* that the state's abortion restrictions were unconstitutional. This decision was a landmark victory for the right to life. However, in 2022, the U.S. Supreme Court ruled in *Dobbs v. Jackson Women's Health Organization* that the Constitution does not guarantee a right to an abortion. This decision has led to a wave of new abortion restrictions across the country, including in Alabama. Alabama's new abortion law, which took effect in 2022, bans abortion at any stage of pregnancy, with very limited exceptions. This law is a direct result of the *Dobbs* decision and represents a significant setback for the right to life in Alabama.

>< The U.S. Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization* (2022) is a landmark ruling that has the potential to significantly impact the right to life in Alabama. The Court held that the Constitution does not guarantee a right to an abortion, which is a departure from the long-standing precedent established in *Roe v. Wade* (1973). This decision has led to a wave of new abortion restrictions across the country, including in Alabama. Alabama's new abortion law, which took effect in 2022, bans abortion at any stage of pregnancy, with very limited exceptions. This law is a direct result of the *Dobbs* decision and represents a significant setback for the right to life in Alabama. The Alabama Supreme Court has also ruled in favor of the state's abortion restrictions, further solidifying the state's position on this issue. The Alabama Supreme Court's decision in *Whole Woman's Health v. Hellerstedt* (2017) was a landmark victory for the right to life, but the *Dobbs* decision has overturned that precedent. This means that the Alabama Supreme Court's decision is no longer binding on the U.S. Supreme Court. The Alabama Supreme Court's decision is now subject to being overturned by the U.S. Supreme Court. This is a significant development for the right to life in Alabama, as it means that the state's abortion restrictions could be found unconstitutional by the U.S. Supreme Court. The Alabama Supreme Court's decision is a landmark ruling, but it is not the final word on the issue. The U.S. Supreme Court's decision in *Dobbs* is the final word on the issue, and it has led to a wave of new abortion restrictions across the country, including in Alabama. Alabama's new abortion law, which took effect in 2022, bans abortion at any stage of pregnancy, with very limited exceptions. This law is a direct result of the *Dobbs* decision and represents a significant setback for the right to life in Alabama.

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¹ Chis Enlan "Alabama House District EC Representative from Alabama" P Rep Enlan EC "2022-23" <https://www.alabamarep.gov/RepEnlan/EC0stat0s01@>C>A9<EFC1>>F9HEE>

Defendant's threats" and it does not plan to do so until it can be assured that it will not face a minimal possibility of helping permanent Alabamians travel out of state for abortions.

>@ \$ Defendant's threats have also been made to cease all operations of its abortion fund. It has also also

no/ !an it /efe/ them to othe/ f0n e/s o/ o0t0of0state !lini!s\$ -f Yello . hamme/ F0n

interference" a society in which individuals and communities have autonomy in
maintaining health practices in their bodies and their futures⁵¹ through its "right"
to have family members also see to community care for "dependent" employees"
"volunteers" "supporters" and the general public the

@<\$ Defendant has made it clear that abortion is a fundamental right that is protected by the Constitution. The Alabama Constitution provides that the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

@>\$ Although the Alabama Constitution has stopped abortion in Alabama, the need for these services has not abated. In fact, since the Dobbs decision, Alabama has made it even more difficult for women to obtain abortion services. The costs of abortion have increased exponentially.

@@\$ A report of abortions in the area following the Dobbs decision indicates that thousands of pregnant people are unable to obtain abortion services from a clinic.^{1A} Another 18 million other people of reproductive age are the latest in a long line of people who are unable to obtain abortion services.^{1H}

@F\$ In addition, it is clear that Plaintiff's people must travel hundreds of miles to obtain the legal abortion services they need.

@E\$ Plaintiff's assistance and the messages of solidarity it contains are particularly important because Alabama is the sixth poorest state in the country.

^{1A} RWeContent Report April 9, 2022 (Official of Family Planning) at F 2, Jone 1 @ 9, 2022 <<https://www.familyplanning.org/10-pg-content/0909-0909/WeContentReport,F1919-sp-f>

^{1H}, d. at A

has more than 10 million people in 1999. This is below the population line.⁹⁰

Alabama's abortion bans are like the one in Alabama as well as the difficulties of traveling out of state to obtain a lawful abortion. It is a debate about maternal health. Alabama has the highest maternal mortality rate in the country. An "

population^{9A} An most abortions for Alabama residents in 2014, people who have

abortion remains legal. Due to the fear of criminal prosecution, Yello . hamme/ FOn
no longer provides information that helps pregnant people see in an abortion . with the
an other logistical needs of makes reference to out-of-state abortion providers of
for the Plaintiff also fear simple speaking and sharing information about how to
obtain legal out-of-state abortions. I will submit it to prosecution. 'e!a0se
Yello . hamme/ FOn has shut down its abortion fund " it also has to eliminate a staff
position that provides support to patients . with for in an practical needs relate
to abortion care and it has inherited resources from a core component of its mission.

FE\$ Plaintiff further has standing to sue on its client

interests are alike § -n fact" they/ interests are one and the same; Yellow Hammes/
FON's mission is to provide abortion fund in an attempt to support to those who wish
to obtain a lawful abortion" which includes Yellow Hammes/ FON a direct interest in
protecting pregnant people's right to their PLOs" Defendant is effectively taking
pregnant people by their minimal protection

claim on its clients' behalf. As a result, Yellow Hammer Foundation is the obvious claimant because it is the party upon whom the challenged statutes impose legal duties and disabilities.



EC The First Amendment to the U.S. Constitution is applicable to the states through the Fourteenth Amendment and enforceable pursuant to 9 U.S.C. B 1HA. It provides that a state shall make no law... abridging in the freedom of speech. U.S. Constitution § 2.

E1 The First Amendment prohibits content-based restrictions on speech and expressive conduct. Unless a state can prove that the law at issue is the least restrictive means of serving a compelling state interest, like "the First Amendment forbids the government from abridging speech and expressive conduct in... that favor some ideas at the expense of others." Castejns 2925613 (0) 3:3

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HC\$ 'e!a0se of the imminent th/eats of p/ose!0tion" Plaintiff has stoppe helpin1 p/e1nant people in Alabama t/a#el o0t of state\$

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1CF\$ Plaintiff has\$SOfe/2941n10/6(that8he48e1e0/4283e7)15e1D941H029-d1086(755270

b) Defendant alleges that the state's actions are unconstitutional as applied to the Plaintiff and its associates.

c) Defendant alleges that Defendant's threats violate Plaintiff's rights under the United States Constitution.

d) Defendant alleges that prosecution of abortion for assistance in Alabama requires the state to obtain lawfully abortions is a violation of Yellowhamper's right to travel.

e) Defendant alleges that prosecution of abortion for assistance in Alabama requires the state to obtain lawfully abortions is a violation of the right to travel for the pregnant people Yellowhamper seek.

f) Defendant alleges that prosecution of abortion for assistance in Alabama requires the state to obtain lawfully abortions is a needless violation and a violation of principles of substantive due process.

g) Permanent injunction of Alabama Code §§ 1-1-1 and 1-1-2 against individuals and organizations in violation of Plaintiff's rights to assist Alabama requires the state to obtain lawfully abortions.

h) Alabama Plaintiff attorneys' fees and costs amount to over \$1 million.

i) An alternative remedy is available as the Court may deem just and proper and equitable.

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